# A PSEUDO-GROSSETESTE TREATISE ON *LUXURIA* AT PAVIA

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## 1. INTRODUCTION

Samuel Harrison Thomson included among the sermons of Grosseteste a brief work with the incipit "Luxuria est incontinencia corporis."[1] It occupies folios 85a to 88b of MS 69 of the Aldini collection in the Biblioteca Universitaria of Pavia, and is ascribed to Grosseteste. Ever the conscientious and learned bibliographer, Thomson cited a reference made by John Bale in his Index to a writing of Grosseteste entitled *Contra luxuriam li[ber] 1*. Bale was unable to refer his reader to any manuscript of the work, but he gave his source as being Thomas Gascoigne. This fifteenth-century chancellor of Oxford was a thorough admirer of Grosseteste and a connoisseur of a wide range of his writings.[2] Gascoigne had a program involving a patristic revival in the service of a reformed clergy able and willing to preach effectively. He regarded St. Jerome as a model and ideal, and found in Grosseteste the closest adherent among the Masters to Jerome's method of spiritual exegesis.[3] From the year 1434 up to his death in 1458 Gascoigne was continuously engaged in compiling a *Liber Veritatum*, which took the shape of an alphabetical theological dictionary.[4] He was liberal with quotations from his favorite authors, Grosseteste included. To him we owe much of our information concerning the books which Bishop Grosseteste left as a bequest to the library of the Friars Minor at Oxford. Gascoigne himself became a regular visitor to the convent, visiting the priests' library at intervals over two decades to consult Grosseteste's books and make extracts from them for his own purposes. The friars, so he informs us, presented him with what is now the Oxford Bodleian Library Bodley MS 198 containing the *De civitate Dei* of St. Augustine and the *Moralia in Job* of St. Gregory the Great—a codex which had been in Grosseteste's possession and which he had annotated liberally. Gascoigne also possessed the Oxford, MS Magdalen College 57, the sole surviving witness to the text of Grosseteste's commentary on the Letter to Gala-

[1] S. H. Thomson, *The Writings of Robert Grosseteste, Bishop of Lincoln, 1235–1253* [hereafter Thomson] (Cambridge 1940) 181, no. 81.

[2] Christina von Nolcken, "Gascoigne , Thomas (1404–1458)," *Oxford Dictionary of National Biography* (Oxford 2004) [http://www.oxforddnb.com/view/article/10425, accessed 17 Aug 2006]

[3] The best study of the relationship of Gascoigne to Grosseteste is still that of Servus Gieben, O.F.M. Cap., "Thomas Gascoigne and Robert Grosseteste: Historical and Critical Notes" *Vivarium* 8 (1970) 56–67.

[4] Some extracts were printed by J. E. Thorold Rogers under the title *Loci e libro veritatum. Passages selected from Gascoigne's theological dictionary, illustrating the condition of Church and State, 1403–1448* (Oxford 1881).

tians.[5] It is to this solid, honest, confiding and unself-seeking scholar that we owe the sole authentic testimony concerning Grosseteste's writing *Contra luxuriam*.

In his dictionary entry on *Luxuria* Thomas Gascoigne gives a full and circumstantial account of his acquaintance with the work in question.[6] He writes in traditional Augustinian fashion on the connection between *concupiscentia* and *luxuria*. The former goes back to the sin of our first parents and it accompanies our sensuality. *Luxuria* is wrongful in itself and also has terrible consequences, as was seen of old in the murder of the faithful Urias which King David procured. At this point Gascoigne reveals his source, telling the reader that "Lord Lincoln, doctor Grosseteste," has all this and more good things in a writing of his *Contra luxuriam*; Thomas has seen it with his own eyes, in the autograph text which he was able to consult in the Minorites' library, in the year 1455. He even gives the catalogue number: "registratus 'Episcopus Lincolniensis I.'" Moreover it was written by Grosseteste in a codex where it followed his twenty-third Dictum, and this despite the fact that the *Contra luxuriam* was not one of the Dicta of the Bishop but "est opus per se distinctum," i.e., was a free-standing work. The modern reader shares Gascoigne's bafflement at this point, since the collection of the 147 Dicta does not include either *luxuria* or *concupiscentia* among the stated topics, and there was no evident reason why the work in question should have been inserted where he says it was. Gascoigne finishes with the foliation of the page that interested him: "folio vicesimo quinto, ut vidi anno X[rist]i 1455."

Gieben has pointed out that the "quotation" made by Gascoigne (we would prefer to say "paraphrase") of Grosseteste's *De luxuria* does not in fact occur in the Aldini text.[7] He goes further: "the Aldini 'sermon' may be a fragment of the *Contra luxuriam*, though its style seems to me different from the passage quoted by Gascoigne." Clearly Thomson jumped too soon when he identified the two texts. Our conclusion does not differ form that of Gieben but goes a little further than his: there is no internal evidence to link the two texts, or indeed to link the Aldini piece with Grossetest's name.

As might be expected of a moralist, Grosseteste wrote about *luxuria* in more than one of his works. The *Templum Domini* is a confessors' and preachers' handbook of the kind favored by the Fourth Council of the Lateran. It compresses into diagrams and "distinctions" a great deal of information concerning, for example, the virtues and vices, the Lord's Prayer, the Decalogue, the beatitudes, the sacraments, and canon law.[8] As it happens, among the several writings attributed to Grosseteste in the Aldini MS the *Templum* is the only one that is clearly authentic.[9] It was a popular work,

[5] On Gascoigne's ownership and use of the MS see Introduction, *Roberti Grosseteste Expositio in Epistolam Sancti Pauli ad Galatas. Nunc primo edidit James McEvoy. Opera Roberti Grosseteste Lincolniensis* 1 CCCM (Turnhout 1995) 4–6. [This volume also contains *Glossae in Epistolas Sancti Pauli*, ed. R. C. Dales; *Tabula*, ed. P. W. Rosemann].

[6] In Oxford MS Lincoln College 118, p. 64a–b. Fr. Gieben reproduced the entire passage; our résumé of it is based on the text he published; Gieben (n. 3 above) 58–59.

[7] Ibid. 58.

[8] Robert Grosseteste, *Templum Dei*. Edited from MS 27 of Emmanuel College, Cambridge by Joseph Goering and F.A.C. Mantello (Toronto 1984).

[9] Thomson did the Pavia MS the honor of considering it among the "Principal Manuscript Collections of Grosseteste's works"; Thomson 19–20. The writing referred to there as "distincciones" is, as Thomson recognized, the *Templum Dei*.

surviving in ninety-six whole or fragmentary copies. It considers *luxuria* to be one of the sins against charity, and to be divided into seven species: *fornicacio*; *adulterium*; *incestus*; *sacrilegium*; *sodomiticum [peccatum]*; *inmundicia*; *abusio*. This list corresponds only in a general way with that of six supplied by the Aldini text: *simplex fornicacio*; *adulterium*; *incestus*; *peccatum contra naturam*; *stuprum*; *raptum*. Writing on the Sixth Commandment in his work on the Decalogue, Grosseteste's attention is caught by the magnitude of the punishment visited by God upon *carnalis luxuria*, and he makes reference to the sulphur and ashes of Genesis 19.24–28, and to the Dead Sea in which no life can flourish and which is in the place of the sulphur destruction.[10] This time there is a common line of thought and a series of images that run between the work on the commandments and the Aldini text, for both show acquaintance with the *Historia Scholastica* of Peter Comestor, on Genesis.[11] Some relationship between the two texts may be indicated here, but on the other hand the *Historia* was extremely well known, almost as well indeed as the *Sentences* of Peter's more famous contemporary, the Lombard. A further writing by Grosseteste, *De confessione*, includes an extensive treatment of *luxuria* in all its forms, which are given as: *fornicatio*; *adulterium*; *incestus*; *sacrilegium*; *sodomiticum*. This list is closer to that propounded in *Templum Dei* than it is to what is found in *De luxuria*. Finally, Grosseteste briefly discusses *luxuria* in his exegesis of Galatians 5.19ff, where the *opera carnis* are opposed to the *fructus Spiritus*. But this time there is a surprise: *concupiscentia* appears to have taken over some of the ground elsewhere assigned to *luxuria*, while the latter is made to cover the sinful indulgence of the senses of sight, hearing, smell and touch.[12]

Some resemblance is almost bound to exist between (or among) discussions of the same topic that emanate from the same tradition, but in the case in point we have not found any positive indication to suggest that *De luxuria* is connected to any of the authentic Grossetestean texts in a way that warrants its attribution to him. Indeed, the Aldini text begins with a generic classification of *luxuria* typical of the thirteenth century, but quickly focuses on one of its forms, which it explores in detail in a way that might be considered somewhat contrary to modern taste.

## 2. Description of MS Pavia Biblioteca Universitaria, Aldini 9

An inventory of the manuscript has been published in L. De Marchi and G. Bertolani, *Inventario dei Manoscritti della R. Biblioteca Universitaria di Pavia* (Ulrico Hoepli, Milano 1894), Volume I°, Fondo Aldini, p. 32. The manuscript is composed of 107 folios of parchment, measuring 200 x 158 mm, written in different hands and dating from the thirteenth century. The codex has a modern binding and has one medieval flyleaf. Most of the manuscript (apart from the final text beginning on fol. 96) seems to be of English origin, including at the bottom of fol. 41v a *Pater noster* in Middle

[10] Robert Grosseteste, *De decem mandatis*, ed. R.C. Dales and E. B. King, Auctores Britannici Medii Aevi 10 (Oxford 1987) IV.10, 68–69.

[11] A copy of this work, given by Grosseteste to the Benedictine chronicler Matthew Paris, may survive in British Library MS Royal 4.D.vii; see Richard Vaughn, *Matthew Paris* (Cambridge 1958) 15 and 129 n. 3. The critical edition of the *Historia* has lately begun with his writing on Genesis, *Petri Comestoris Scolastica Historia. Liber Genesis edidit Agneta Sylwan*: CCCM 191 (Turnhout 2005).

[12] Grosseteste, *Expositio in Epistolam ad Galatas* 148.

English. There are many marginal notes from the fourteenth century in an Italian hand. On fol. 47v the scribe has entered the catchword for the next item even though the latter has been copied in a different hand, indicating that most of the codex is a medieval rather than a modern compilation.

From internal evidence then it would appear that the greater part of the codex was copied in England towards the middle of the thirteenth century and used there. At some time towards the end of the century the book came to Italy where the *Canon Missae,* a commentary by Innocent III, was added.

The contents of Aldini 69 are listed by Marchi and Bertolani as follows:

C. 1 Enchiridion poenitentialis ex Summa Raymundi et ex distinctionibus Meriani Autissiodorensis et Roberti Lincolniensis et Roberti de Leycester et cuiusdam doctoris Parisiensis excerptus.
C. 19 Meditationes S. Bernardi (mutilo)
C. 25 Roberti Grossi Capitis Lincolniensis Episcopi
Distinctiones
De prelato et presbytero
De oratione dominica
De VII donis Spiritus Sancti
De virtutibus et vitiis
De VII Sacramentis
De X praeceptis Decalogi
Sermo approbatus per Ecclesiam
C. 96 Innocentius III Canon Missae

Thomson gives the following contents:

fols. 1a –19a Enchiridion
19a –24d Meditaciones Bernardi
25a–33b Distinctiones (= Templum Dei)
34a–84c Summa of William de Montibus [with fols. 47a–66d attributed to Grosseteste. In fact it is the Summa 'Qui bene presunt' of Richard of Wetherstede]
85a–88b De luxuria [listed by Thomson as **Sermo 81**]
89–91 blank
92a–95b Canon Misse of Richard of Wedinghausen [attributed to Grosseteste]
Finally the Tractatus de canone Misse domini Innocentii pape tercii incompletus.

Given that the text that interests us begins "restat agere de luxuria," this "restat" may indicate either that it was part of a larger work or that it was intended by the scribe to continue on from the previous text. There is a possibility that it was included as a "space filler" in order to complete the fascicule. The handwriting is the same as that of the previous text but the layout changes from two columns to one. In presenting our edition we have respected the principles of medieval orthography. We have enumerated the parts of the discourse and numbered its subsections.

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**Sermo beati episcopi Lincolniensis regni[13] Anglie, approbatus pro ecclesia velud dicta beati Augustini.**

MS Pavia Aldini 69, fol. 85r

Restat agere de luxuria ordine precassato. Luxuria est incontinencia corporis que ex proprio nitu libidinis nascitur. Dicitur autem luxuria a luxu quia solet nasci a luxu cibi et potus vel alterius rei. Diuiditur autem in simplicem fornicacionem, in adulterium, incestum, peccatum contra naturam, stuprum, raptum.
[I.] Fornicacio simplex est carnale commercium preter legitimum coitum id est circa adulterium. Vel aliter: Fornicacio licet videatur esse genus cuiuslibet coitus illiciti qui fit extra uxorem legittimam, tamen specialiter intelligitur in usu viduarum, meretricum vel concubinarum.
[II.] Adulterium est alieni thori violacio.
[III.] Incestus consanguinearum vel affinium abusus, unde incestiosi dicuntur qui consanguineis vel affinibus abutuntur.
[IV.] Stuprum est proprie virginum defloracio.
[V.] Raptus est cum puella a domo patris violenter abducta non corrupta ut in uxorem habeatur, ut 36, q. 1, c. 1.[14]
[VI.] Vicium sive peccatum contra naturam est quando aliquis extra locum ad hoc deputatum effundit[15] semen.

1. Videamus ergo quantum sit detestabile et grave hoc vicium. Quidam enim quasi nullum reputant peccatum[16] et in quibusdam regionibus publice abutuntur homines, et quasi ex quadam excusacione ex curialitate graciosos vocant illos cum quibus hoc pessimum et abhominabilem vicium perpetrant.
2. Item, videamus que mala <orta sint.
3. Item que mala orta sint inde> et oriantur cotidie ex tali peccato.
4. Item qua pena puniantur tali vicio laborantes.
5. Item que fuit causa huius peccati videndum est.

1.
¶Perpetrantes redeamus ad primum de singulis que diximus, hoc enim vicium est detestabile quia magis peccant tali vicio laborantes quam si propriam matrem cognoscerent. Vnde Augustinus in 32, q. 7 ait[17]: *adulterii malum vincit fornicacionem, vincitur autem ab incestu. Peius est cum matre quam cum alia uxore concumbere, set omnium horum pessimum est quod contra naturam fit*. Habemus ergo quod maius peccatum est illud quam cognoscere matrem. Item per hoc vicium[18] violatur societas

[13] regni: rengni *cod.*
[14] Cf. Petri Lombardi, *In IV Sent.*, IV, dist. 41; 36, q. 1, c. Lex Praeteritorum, parag. Sed non omnis.
[15] effundit] + peccatum *exp.*
[16] peccatum *in. marg.*
[17] *Decreti*, pars secunda, causa 32, q. 8, c. 11; Petri Lombardi *In IV Sent.*, IV, dist. 38, De voto; Augustinus, *De adult. coniugiis*.
[18] vicium *corr.*

que cum Deo nobis esse dicitur. Vnde ait Augustinus in 32, q. 2,[19] scilicet, sicud non *vicia que contra naturam sunt, vbique ac semper repudenda sunt, qualia sunt sodomitarum. Que si omnes gentes facerent eodem criminis reatu tenerent<ur> divina lege que sic non fecit homines ut illo utentur modo. Violatur quippe ipsa societas que cum Deo nobis esse dicitur, cum* **[fol. 86v]** *eadem natura cuius ipse est auctor libidinis perversitate polluitur*. Item propter eius detestationem quandoque de hoc vicio loqui non audemus[20] ne os dicencium[21] aures audencium polluat, ut 32, q. 4, scilicet, *in eo fornicator*.[22] Item audivi scriptum esse per quoddam sanctum, non tamen vidi quod angelus bonus in terram elongat te a loquentibus de hoc vicio licet non ad peccandum set ad detestandum scilicet in quantum sonus vocis protenditur[23].

Item peccatum sodomiticum est gravissimum nec remittitur alicui nisi nominatim confiteatur si poterit confiteri, et hoc propter prophanas turpitudines et nephandas voluptates que exercent bestialiter atque inordinate quas beatus Paulus vocat passiones ignominie, in epistola *Ad Romanos*.[24] Vbi ait Haimo[25], voluptates contrarias si[26] delectant, sunt passiones nature non nominande[27] quia huiusmodi abusiones et fedissima scelera non sunt digna relatu et qui committunt hec peccata et inpenitentes moriuntur et in inferno sepeliuntur.

Sanctus Judas Thadeus in epistola sua canonica[28] ait, sicut Sodoma et Gomorra et finitime civitates simili modo exfornicate et abutentes post carnem alteram facte sunt exemplum ignis eterni penam sustinentes, et cetera. Nota quod dicit *carnem alteram,* idem est ac si diceret masculus pollutus est masculo, femina cum femina.[29] Nota eciam quid sit *exfornicate*, id est extra naturam fornicare. Ceterum quia tales sunt digni non solum morte temporali set eciam eterna, ideo subdit *facte sunt exemplum ignis eterni*.

[19] Augustinus, *Confessiones* III, viii: Itaque flagitia quae sunt contra naturam, ubique ac semper detestanda atque punienda sunt, qualia Sodomitarum fuerunt. Quae si omnes gentes facerent, eodem criminis reatu divina lege tenerentur, quae non sic fecit homines ut se illo uterentur modo. Violatur quippe ipsa societas quae cum Deo nobis esse debet, cum eadem natura, cujus ille auctor est, libidinis perversitate polluitur.

[20] Cf. Eph 5.3.

[21] dicencium] + ari *exp*.

[22] *Decreti*, secunda pars, causa 32, q. 4: In eo fornicator majoris est criminis, quia tollit membra Christi, et facit ea membra meretricis. Cf. 1Cor 6.15.

[23] perdenditur: protenditur *conj*.

[24] Rom. 1.26–27: Propterea tradidit illos Deus in passiones ignominiae. Nam feminae eorum immutaverunt naturalem usum in eum usum qui est contra naturam. Similiter autem et masculi relicto naturali usu feminae exarserunt in desideriis suis in invicem, masculi in masculos turpitudinem operantes, et mercedem quam oportuit erroris sui in semetipsis recipientes.

[25] Petri Lombardi, *In epistolam Ad Romanos*, c. 1 (PL 191.1333C): Hic item vindicta repetitur sicut ante repetiit culpam. *In passiones ignominiae,* id est voluptates carnis, quae etsi delectant, sunt passiones naturae non nominandae. [Haimo]

[26] quia etsi: contrariis si *cod.*

[27] Cf. Eph 5.3.

[28] 1.7: sicut Sodoma et Gomorra et finitimae civitates simili modo exfornicatae et abeuntes post carnem alteram factae sunt exemplum ignis aeterni poenam sustinentes.

[29] Cf. Rom 1.26–27.

2.

¶*Que mala orta sint occasione peccati contra naturam.*

Consequenter videamus que mala orta sint inde et oriantur cotidie. Et dicendum est quod hoc vnum fuit vna causa de causis precipuis quare Dominus diluvium induxit et humanum genus destruxit, ut dicit Method<i>us in *Historiis scolasticis,* in titulo 'De causis diluvii'.[30] Item qui laborant tali vicio sodomitico sunt destructores hominum atque pessimi emulatores et adulatores. Onas filius Iude, qui effundit semen id est sperma super terram, et quia contra naturam animales motus agebat, percussus est a Deo et sepultus est in inferno vbi nulla est redempcio. Item Ysaias Propheta ait[31]: Hii sunt *quasi Sodoma et Gomorra* id est muti a laude Dei et aperti enormitate peccatorum. Preterea maledictus est suscitans peccatum [**f. 87r**] sodomorum, perdens sic primo genitum et novissimum filiorum Dei. Item pro enormitate prefati criminis Dominus in cinerem versus est Sodome, ut eam conuerteret in Mare Mortuum in quo piscis non uiuit et non enatat nauis in qua sit homo. Item illa aqua non est natabilis nec est potabilis, ibi ferrum enatat et pluma mergitur, ibi sunt poma pulcherrima exterius, interiusque plena favilla et cinere. His uerbis describitur. In eodem porro loco sunt arbores ferentes poma que ad tactus desiciunt et evanescunt emittencia pulverem et favillam. Item pro solo respectu vxor Loth conuersa est in statuam salis, quod signat Deum nolle aliquod uestigium peccati illius reseruari, ne recitetur delictum Sodome quod est maximum peccatum. Cuius pene evvirati et molles et effeminati sunt reservati ad Pharonis delicias. Item numquam legitur in Vetere neque in Novo Testamento aliquos peccatores ita graviter punitos sicud sodomitas. Vnde colligitur regula iuris canonici <nichil> scelestius esse commissum et grauius esse vindicatum, ut 34, q. 1, 'non asseremus'. Item pena bene respondet culpe scilicet sulphur et ignis quibus puniti sunt Sodomite quia in ardore sunt et fetore libidinis.

3.

¶*Que mala oriuntur cotidie ex isto peccato.*

Prosecuti sumus primam partem rubrice scilicet que mala ex sodomitico vicio orta sint. Nunc videamus que inde cotidie oriantur. Et quidem ista ut dicit lex quod propter ista crimina inducuntur fames,[32] pestilencie et terre motus, ut in *Authenticum*, *ne luxurientur contra naturam*,[33] 'Si enim', coll. 6. Item sodomite sunt adversarii Dei homicide et destructores hominum. Videntur enim Deo dicere: tu creasti hominem ut multiplicaretur,[34] nos vero opera damus ut opus tuum depereat.

[30] Petrus Comestor, *Historia scholastica*, libri Genesis c. 30: Methodius causam diluvii, hominum scilicet peccata, diffusius exsequitur dicens, quia quingentesimo anno primae chiliadis, id est post primam chiliadem, filii Cain abutebantur uxoribus fratrum suorum nimiis fornicationibus.

[31] Is. 1.9: nisi Dominus exercituum reliquisset nobis semen quasi Sodoma fuissemus et quasi Gomorra similes essemus.

[32] Gueras … *add. in marg. a.m.*

[33] *Novellae***,** n. 77**:** UT NON LUXURIETUR CONTRA NATURAM NEQUE IURETUR PER CAPILLOS AUT ALIQUID HUIUSMODI NEQUE BLASPHEMETUR IN DEUM (AD 538), c. I, 1: Propter talia enim delicta et fames et terrae motus et pestilentiae fiunt, et propterea admonemus abstinere ab huiusmodi praedictis illicitis, ut non suas perdant animas.

[34] Cf. Gen. 1.28.

4. Sequitur:

¶*Qua pena puniantur sodomitici*.

Qua pena puniantur sodomitico vicio laborantes? Et quidem secundum legem diuinam morte moriuntur, vnde Moyses dicit: Qui dormierit cum masculo femineo modo uterque nephas operatur et ideo morte moriuntur.[35] Item secundum leges mundanas decollantur. Vnde Constantinus[36] in ix libro, scilicet ad Legem Iuliam De adulteriis[37]: cum vir nubit in feminam vires porrecturam, ubi sexus perdidit locum ibi scelus est id quod non proficit scire, vel mittuntur mulieres in alteram, vel amor queritur et non inuenitur iubemus insurgere leges armari iura, et talis [**f. 87v**] sceleris actores feriri gladio ultore. Item qui puerum corruperit perfecto flagicio capite punitur. Inperfecto autem in insulam deportatur. De perfecto delicto[38] in puero. Secundum canones tales deponuntur perpetuo et ad agendam primam in monasterio detruduntur; extractum de commento Digesti scilicet vitium. Tantum enim valet depositio secundum canones quantum decapitacio secundum leges. Item cum Dominus pro aliis peccatis penam infligendam differat, per hoc videtur paternam benignitatem exuisse nec exspectans diucius sodomitas set puniuit eos temporaliter igne celitus misso et sic eos destruxit. Detrusit in inferno vbi puniantur sine termino.

5.

¶*Causa peccati sodomitici*.

Consequenter videamus que fuit causa huius peccati et quid sit peccatum contra naturam. Nam ut ait Ezech. 46 capitulo[39]: Causa peccati sodomitarum fuit habundancia panis et vini et olei et ocium et cibus alienus et superbia vite. Contra quos ait Moyses[40]: *homines autem sodomite pessimi erant et peccatores coram Deo nimis*. Item Apostolus in Epistola ad Romanos[41]: *Propterea tradidit eos Deus in passiones ignominie, nam femine eorum mutauerunt naturalem usum <in eum usum> quod est contra naturam. Similiter et masculi relicto naturali usu femine exarserunt in desideriis suis in invicem masculi in masculos turpitudinem operantes*. Ibi dicit Glossa[42]: *Naturalis usus est ut vir et mulier in vno concubitu coeant. Contra naturam est ut masculus masculum polluat et mulier mulierem*, et cetera. Item Ambrosius[43]:

[35] Lev. 20.13: qui dormierit cum masculo coitu femineo uterque operati sunt nefas morte moriantur.

[36] Recte Constantius.

[37] Lex 'Cum vir nubit in feminam' *Codex Theodosianus* IX, 7, 3; *Codex Iustiniani* IX, 9, 30; *Digesta*, XLVIII, 5;

[38] delicto *scr.*: dilecto *cod.*

[39] Ez. 16.49: ecce haec fuit iniquitas Sodomae sororis tuae superbia saturitas panis et abundantia et otium ipsius et filiarum eius.

[40] Gen 13.13: homines autem Sodomitae pessimi erant et peccatores coram Domino nimis.

[41] Rm. 1.26–27: Propterea tradidit illos Deus in passiones ignominiae. Nam feminae eorum inmutaverunt naturalem usum in eum usum qui est contra naturam. Similiter autem et masculi relicto naturali usu feminae exarserunt in desideriis suis in invicem, masculi in masculos turpitudinem operantes.

[42] Glossa *scr.*: Moyses *cod.*

[43] Ambrosiaster, *In Epistolam Pauli Ad Romanos*, PL XVII, col. 60B–C, c. 1, vers. 26: *Propterea tradidit illos Deus in passiones ignominiae. Nam feminae eorum immutaverunt naturalem usum in eum usum qui est contra naturam.* Haec irato Deo propter idololatriam humano generi provenisse testatur, ut mulier mulierem turpi desiderio ad usum appeteret. Quod quidam aliter interpretantur, non perspicientes vim dicti. Quid est enim immutare naturalem usum in eum usum qui est contra naturam, nisi sublato concesso usu aliter uti, ut una atque eadem pars corporis uniuscujusque inter se invicem sexus aliter se ad usum praebeat, quam concessum est? Nam si illa est pars corporis quam putant, quomodo immutaverunt

hoc autem ab irato Deo propter ydolatriam humano generi prouenisse testatur Apostolus ut femina feminam, masculus masculum turpi desiderio ad usum appeterent indebitum. Quid enim est mutare vsum naturalem in eum qui est contra naturam, nisi sublato concesso usu aliter uti quam concessum est, cum illa pars corporis non habeat huiusmodi usum datum a natura. Quod enim habet homo concessa et licita in alium usum conversa et aliter facta quam concessa, peccata sunt.

Item contra peccatum sodomitarum ait beatus Gregorius[44]: Nouitas tante et tam pessime turpitudinis, quasi ammiracionem parit in audientem. Vnde Deus quasi amirans et dubitans super tanto scelere introducitur sic dicens: 'Descendam et videbo'[45]; incredibile hominem tantum facinus perpetrasse. [**f. 88r**]

Item nota quod quattuor sunt genera peccatorum que clamant ad Deum scilicet:

1) Vicium sodomiticum, unde in Gen. 18 capitulo[46]; dictum est *clamor sodomorum*, et cetera;

2) Homicidium, unde in Gen. 4 capitulo[47] dictum est ad Cayn: *vox sanguinis fratris tui clamat ad me de terra*;

3) Peccatum oppressorum, id est illorum qui opprimunt alios, unde in Ecclesiastico ca. 24[48]: *Nonne viduarum lacrime ad maxillam descendunt et exclamacio eius* super deducentes eas;

4) Item mercenariorum, id est illorum qui merces mercenariorum retinent, unde Jacobus 5 capitulo in epistola canonica: *ecce merces operariorum vestrorum qui messuerunt regiones vestras qui fraudati sunt a vobis clamat, et clamor eorum in aures Domini Sabaoth introiuit*.

Ideo clamant ad Deum quia in istis quattuor ius nec infertur:

Nam in sodomitico vicio contra naturam laboratur;

In homicidio natura extinguitur;

In oppressione naturali pietati ius infertur;

In retencione mercedis mercenarii naturali equitati contrariatur.

Item nota quod nichil hac turpitudine turpius. Quid ergo hoc crimine sceleracius? In lege vero quasi pia coniunguntur crimina cubitus masculi cum masculo et cohitus hominis cum iumento. Vnde legitur in Levitico: *non misceberis coitu*

usum naturae, cum non habeant hujusmodi usum datum a natura? Superius jam dixerat traditos in immunditiam, non tamen qualitatem operis immunditiae ipsius ostenderat, pro quo nunc declarat:…

[44] S. Gregorius, *Moralia in Job*, XIX, c. 14. See also, Petrus Cantor, Verbum Abbreviatum, PL 205: Vitium Sodomorum fuit «abundantia panis et superbia vitae, et superfluitas vini **(Ezech. XVI)**.» Hoc vitium redarguens Dominus, Genes. cap. XIX, ait: «Homines autem Sodomitae pessimi erant, et peccatores coram Domino nimis.» Item cap. XVIII: «Clamor Sodomorum, et Gomorrheorum multiplicatus est, et peccatum eorum aggravatum est nimis. **[Col.0334A]** Descendam et videbo, utrum clamorem, qui venit ad me, opere impleverant.» Glossa. Novitas tantae et inauditae turpitudinis, quasi admirationem et dubitationem parit in audiente. Unde Dominus quasi admirans, et dubitans super tanto scelere, introducitur sic loquens: «Descendam et videbo utrum,» etc. Incredibile enim mihi videtur homines tantum flagitium perpetrasse. Gregorius **(lib. XIX Mor. c. 14)**.

[45] Gen 18.21.

[46] Gen. 18.20–22: Dixit itaque Dominus clamor Sodomorum et Gomorrae multiplicatus est et peccatum earum adgravatum est nimis descendam et videbo utrum clamorem qui venit ad me opere compleverint an non est ita ut sciam converteruntque se inde et abierunt Sodomam

[47] Gen. 4.10: dixitque ad eum quid fecisti? vox sanguinis fratris tui clamat ad me de terra.

[48] Eccl. 35.18.

*femineo cum masculo quia abhominacio est*, et cetera[49]. Hoc vicio solent corrumpi qui semper sunt in ocio utentes cotidie delicatissimis cibariis, "quorum Deus venter est,"[50] qui nolunt alicui bono exercicio vacare set fabulis et detractionibus. Vnde ipsi de facili capiuntur a temptacione hoc vicio, et viri docti et experti qui sciunt ipsum per confessiones, dicunt quod solent quidam curiales isto vicio irretiri copiam mulierum habere non valentes. Quidam eciam clerici scolares et claustrales nullam in orationibus devocionem habentes, qui detestantur maceracionem carnis, non attendentes quod dicit Jeronimus[51]: "venter mero estuans de facili <de>spumat in libidinem," surda aure audivit Dominum dicentem: "hoc genus demonii non eicitur nisi per ieiunium et orationem"[52]. Et nota quod dicitur super eundem locum Mathei[53]: Quomodo procervitas dyaboli superatur ostendit Dominus, ut faciamus graviora quecunque orationibus et ieiuniis esse superanda, et iram Dei in nobis hoc remedio placari posse. Carnalium enim mutabilitas non vincitur nisi spiritus oratione confirmetur et caro per ieiunium maceretur. Quod sanat oculum non sanat calcaneum, unicuique morbo sua medicina adhibenda est. Nam passiones corporis ieiunio sanantur et passiones [**f. 88v**] mentis oratione fugantur. Preterea nota quod et ibidem dicitur, scilicet quod ieiunium generale non solummodo ab escis set ab omnibus illecebris carnalibus et ab omnibus viciis abstinere, sicud et oratio generalis est non solum verbis set in omnibus que ad obsequium Dei fideique devocione gerimus. Vnde dicitur "sine intermissione orate",[54] quia non cessat orare qui non cessat benefacere. Verumptamen sepe dum converti ad Dominum post peccata volumus, magis a dyabolo inpugnamur, ut vel odium virtutis incuciat vel expulsionis sue vindicet iniuriam. Et plurimum cum de corde expellitur, acriores temptaciones excitat quam prius quando possidebat fraudes,[55] set ideo nullus desperare debet quia ibi nullus prevalet morbus vbi omnipotentis interuenerit manus. Set et ideo ad primam recurrendum est.

Ex predictis ergo patet quod hoc vicium gravissimum est, nec valet excusacio quorundam et allienacio quorundam, qui dicunt quod est quedam pollucio. Revera pollutio est quia polluit animam et corpus, non cum est illa que fit in corpore dormientis set pocius vigilantis. Vnde breviter dico quod omnis pollucio extra vas naturale quocunque modo fiat, licet iam multos modos audierimus in principali iudicio quos nolimus nec audemus propalare, attamen vicium contra naturam, et omnes tales laborantes sodomite censentur, ut ex supradictis diligens lector colligere poterit manifeste.

[49] Lev. 18.23.
[50] Phil 3.19.
[51] Lupus de Olmeto: REGULA MONACHORUM EX SCRIPTIS HIERONYMI PER LUPUM DE OLMETO COLLECTA**.** CAPUT XI. De Abstinentia, et praecipue a carnibus (PL 30.0346B).
[52] Matt. 17.20.
[53] Glossa
[54] 1 Thess 5.17.
[55] fraudes] fructus *cod*.